

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

BERNARD JONES

PLAINTIFF

v.

Civil No. 4:19-cv-4009

HOPE CITY POLICE DEPARTMENT, *et al.*

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed July 18, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 24). Judge Bryant recommends that the Court grant Separate Defendant Hope City Police Department's ("HCPD") Motion to Dismiss (ECF No. 19) and dismiss Plaintiff's claims against HCPD because HCPD, a police department, is not a legal entity that is subject to suit under 42 U.S.C. § 1983.

Plaintiff has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation (ECF No. 24) *in toto*. Accordingly, Separate Defendant Hope City Police Department's Motion to Dismiss (ECF No. 19) is hereby **GRANTED**. Plaintiff's claims against Separate Defendant Hope City Police Department are **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED**, this 12th day of August, 2019.

/s/ Susan O. Hickey  
Susan O. Hickey  
Chief United States District Judge